

DELIVERY OPERATIONS



November 13, 2023

Via Email: jsvine@gmail.com

Jerem Singer - Vine



Brooklyn, NY

RE: FOIA Case No. 2023-FPRO-01656

Dear Mr. Singer - Vine:

This is in response to your Freedom of Information Act (FOIA) request dated May 22, 2023 in which you seek postal record. Specifically, you requested

- 1) Database records corresponding to all PS Form 4241-A outputs generated. As you are aware, PS Form 4241-A is an official USPS form that represents the "Rural Route Evaluation" for rural postal routes.
- 2) Database records corresponding to all PS Form 4003 submissions
Per the 2012 guide cited above, "The PS Form 4003, Official Rural Route Description [...] is utilized to submit changes to route data for reasons other than changes resulting from a mail count."
- 3) All relevant database documentation. Additionally, we request all records documenting the database systems holding the requested records, so that the public can accurately interpret the information. These documentation records should include (but not necessarily be limited to) all relevant record layouts, database schemas, entity relationship diagrams, database diagrams, data dictionaries, glossaries, and user guides.

In response to your request #1- #3, a search was conducted of the department of Vice President, Delivery Operations and found that the records in which you seek are of commercial nature and being withheld in full from disclosure pursuant to Exemption 3 39 U.S.C. § 410(c)(2).

Exemption 3 provides that agencies may withhold records that are exempted by disclosure by another statute that "establishes particular criteria for withholding or refers to particular types of matters to be withheld." Section 410(c)(2) of the Postal Reorganization Act qualifies as an Exemption 3 statute. 39 U.S.C 410(c)(2). Section 410(c)(2) of the Postal Reorganization Act permits the Postal Service to withhold "information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed." 39 U.S.C. 410(c)(2). Information of a commercial nature under Section 410(c)(2) is broadly defined to include all information that "relates to commerce, trade, profit, or the Postal Service's ability to conduct itself in a businesslike manner." 39 C.F.R. 265.14(b)(3). In determining whether particular information is commercial in nature, the Postal Service considers six factors relating to whether the information is more akin to its role as a business entity, a competitor in the market or a provider of basic public services. See 39 C.F.R 265.14(b)(3)(i). In addition, the Postal Service has identified an extensive, though not exhaustive, list of information that is commercial in nature and thus. Exempt from disclosure under Section 410(c)(2). See 39 C.F.R 265.14(b)(3)(ii).

PS Form 4241-A, has information pursuant to 39 U.S.C. § 410(c)(2) that concerns carrier lines of travel as well as other route data commercially valuable to our competitors. Similarly, PS Form 4023 contains a line of travel description for each rural route, which information is exempt from disclosure under 39 U.S.C. § 410(c)(2). To the extent this commercial information (and other information exempt from disclosure) is found in the database records responsive to this request. Accordingly, even if this document were not exempt from disclosure in full, 410(c)(2) would warrant withholding the vast majority of the information contained in the document.

If you are not satisfied with the response to this request, you may file an administrative appeal within ninety (90) days of the date of this response letter by writing to the General Counsel U.S. Postal Service 475 L'Enfant Plaza SW Washington, DC 20260 or via email at FOIAAppeal@usps.gov. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of the response to your request. The letter of appeal should include, as applicable:

- (1) A copy of the request, of any notification of denial or other action, and of any other related correspondence;
- (2) The FOIA tracking number assigned to the request;
- (3) A statement of the action, or failure to act, from which the appeal is taken;
- (4) A statement identifying the specific redactions to responsive records that the requester is challenging;
- (5) A statement of the relief sought; and
- (6) A statement of the reasons why the requester believes the action or failure to act is erroneous.

For further assistance and to discuss any aspect of your request, you may contact the FOIA Public Liaison listed below:

PRIVACY & RECORDS OFFICE
US POSTAL SERVICE
475 L'ENFANT PLAZA SW RM 1P830
WASHINGTON, DC 20260-1101
Phone: (202) 268-2608
Fax: (202) 268-5353
FOIA Public Liaison: Nancy Chavannes-Battle

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administrations, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Roxanne Thomas

Roxanne Thomas
Operations Performance Analyst
475 L'Enfant Plaza Room 7142
Washington, DC 20260

